

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION

JOE DALE MARTINEZ, *et al*,

Plaintiffs,

VS.

REFINERY TERMINAL FIRE
COMPANY,

Defendant.

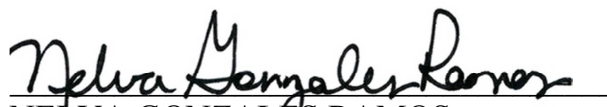
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CIVIL ACTION NO. 2:11-CV-295

ORDER REGARDING CREDITS

In the pleadings and at a hearing held in this matter on August 20, 2015, an issue was raised regarding overpayments by Defendant to individual Plaintiffs in weeks where the Plaintiffs did not work but nevertheless were compensated. The Court has ordered that damages be calculated on a weekly basis with offsets also calculated on a weekly basis. Upon review of the pleadings and evidence, the Court further ORDERS that where the offset exceeds the damages in a particular week with the result that a Plaintiff “owes” Defendant overpaid compensation for the week, such overpayment should be disregarded. Individual Plaintiffs are not obligated to repay the overpaid amount to Defendant.

ORDERED this 25th day of August, 2015.


NELVA GONZALES RAMOS
UNITED STATES DISTRICT JUDGE